

Remarks

The foregoing proposed amendment presents amended claims 1, 6, 10, 11, 13, 17, 18, and 19 and further cancels claim 5. As a result of this Amendment, claims 1-4 and 6-20 remain in the application.

Regarding Kolls, U.S. Patent No. 6,389,337 ("Kolls"), this reference does show some similar elements, but it fails to obviate or anticipate the claims as amended. It appears that in Kolls, reference is made to a wireless data link 276 that could potentially use a satellite receiver and to certain vehicle monitor and metering means having an interface 260 that can include an accelerometer 262, a tachometer 264 and an odometer 266. Kolls also includes advertisement selection using GPS, user's listening history or using cookies using user's specific data such as a user's buying habits, listening habits. Although Kolls specifically mentions an accelerometer, a tachometer, and an odometer, Kolls clearly fails to suggest, mention or contemplate the use of these "vehicle health" or environmental inputs to serve as criteria in the selection of messages as now claimed in the present invention. Amended claim 1 now recites environmental inputs including odometer reading, a vehicle status, a vehicle emergency system status, a vehicle user alert, a fuel level, a speed reading, a temperature reading, a tire pressure reading, a coolant level, an airbag deployment status. Note that other environmental inputs can also be used in the dependent claims in conjunction with the vehicle specific environmental inputs of amended claim 1. In another embodiment of the invention, note that claim 10 recites using 2 criteria which includes the vehicle specific environmental inputs and also location as an environmental input. Thus, the Applicant respectfully believes claims 1-4 and 6-20 overcome the rejection based on 35 USC Section 102(e) as being anticipated by Kolls.

Furthermore, the concept of dynamic addressing as claimed in the present invention is quite different from the use of cookies as commonly used in web browsers and in Col. 36, lines 51-57 of Kolls. The cookies in Kolls appear to be "left behind" as a result of visits to websites by the user or possibly other user habits. Addresses (or the ability to decode messages) in Kolls are not dynamically changed or modified based on the data obtained from the plurality of environmental inputs as specified in the claims. Kolls fails to suggest, mention or contemplate the use of one environmental input received (such as vehicle specific environmental inputs) to create a modified group address and where a processor further compares the modified group

address with a received group address associated with one of a plurality of content specific messages as recited in claim 14. Nor does Koll suggest or teach the use of a processor to compare a received group address from one of a plurality of content specific messages with an address in a current group address table that is updated with group addresses from a comprehensive group address table based on the environmental inputs received at the digital receiver unit as recited in claim 16. Thus, the Applicant once again respectfully believes claims 1-4 and 6-20 overcome the rejection based on 35 USC Section 102(e) as being anticipated by Kolls for the reasons stated above.

An indication of allowability is respectfully requested. Should any minor points remain prior to issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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Date

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